

LAKE COUNTY BOARD of ADJUSTMENT
May 8, 2013
Lake County Courthouse Large Conference Room (Rm 317)
Meeting Minutes

MEMBERS PRESENT: Clarence Brazil, Sue Laverty, Mike Marchetti, Paul Grinde

STAFF PRESENT: Joel Nelson, Karl Smithback, Lita Fonda

Mike Marchetti called the meeting to order at 4:01 pm

Motion made by Clarence Brazil, and seconded by Paul Grinde, to approve the April 10, 2013 meeting minutes. Motion carried, 2 in favor (Clarence Brazil, Paul Grinde) and 2 abstentions (Sue Laverty, Mike Marchetti).

Motion made by Paul Grinde, and seconded by Clarence Brazil, to approve the March 13, 2013 meeting minutes. Motion carried, all in favor.

HYLBAK VARIANCE & CONDITIONAL USE –EAST SHORE (4:03pm)

Karl Smithback introduced that these were the same two variance requests and conditional use requests as before, with different figures, and presented the staff report. (See attachments to minutes in the May 2013 meeting file for staff report.) He noted that the two references in the staff report to the February meeting should be changed to March (pg. 1, second line of the last full paragraph and pg. 15, third line of the first paragraph). He referred to a letter of public comment received after the staff report was done, from Walter Gibson. (See attachment to minutes in the May 2013 meeting file for letter.) Karl spoke with both Walter Gibson and the Clarks, who attended the last meeting. He talked to both of the Clarks recently and they seemed fine with the proposal. The Gibson letter, mentioned concerns with the proximity of the drainfield. Karl had spoken with Sanitation. It didn't have an impact on zoning. As far as Sanitation, it was neither here nor there for the purposes of their review. An existing system was on this property. He thought the landowner was indicating there was a discrepancy in site conditions from the submittal. Regarding the 4-bedroom comment, they corrected that in their application. What was being proposed right now was a 2-bedroom structure.

Rob Smith of A2Z Engineering spoke on behalf of the applicants. He explained that they took a close look and made revisions after the March meeting. He noted that Lyndon Steinmetz, the designer, was here again tonight. Previously the house was square in shape. The steepest ground on which the house lay was in the NW corner. It was pared back there. Some decks were revised and the house was drawn in a bit from east to west so it better fit the flat spot on the center bench.

Rob referred to the concerns with groundwater running across the site and with soil. They submitted a report for both of those items. The groundwater report explained that the surface water originated at the spring box. It then flowed across the property and reentered the ground near the lakeshore. He didn't find spots where the stream gained or

lost. Within 50 or 60 feet of the shore, the soils got gravelly enough and there was enough vegetation that the water was reabsorbed. For a solution, they had a site drainage plan with a series of French drains that would wrap the garage and house. There would be some drainage beneath the slabs of the garage and the house. To deal with the spring box area, they'd have a French drain that would follow the driveway as it curved around and there would be a wall put up where the spring box sits now. That wall would have another drain. They would collect those groundwater seeps and pipe them down the south property line until just above the lakeshore protection area of the 50 foot setback. They'd turn those waters loose in riprap area to prevent erosion. What would probably happen would be reabsorption because of the gravelly soils that came to the surface there.

Rob addressed the soils onsite. They dug test holes in the center of the property towards the east side. They compared to the USGS soil profile for that area and found them to be consistent. There was a very hard and resistant layer at about 36 inches. It wasn't necessarily bedrock but the layer was full of very tight clay and a lot of broken pieces of rock. It was difficult to dig through. With the hard soils they found and with the design of the house being a walk-out basement, essentially the rear wall of the house became a retaining wall. Soils were removed and the house was built in place so the loading on the lot didn't change too much. They called for footings and put a weight limit on those footings so they would be spread sufficiently to keep from exerting too much downward force. Combined with the drainage improvements shown, they felt very confident it would be a good way to construct the house on the site.

Mike thanked Rob, the Hylbaks and Lyndon for actually taking the time to listen to what the Board said and putting this into a more do-able package.

Public comment opened: None offered. Public comment closed.

Paul thought it looked fine. Mike was pleased that it fit more with things that had been discussed. He felt better about this one. Sue agreed. Through the engineering and supplying the Planning staff with the information they and the Board needed, she had a better opinion. Personally, she would have liked to have seen it smaller. They did scale it down. Clarence concurred that it looked good.

Motion made by Mike Marchetti, and seconded by Paul Grinde, to approve the 2 variances and conditional use with findings of fact and recommendations by staff, including changing February to March in 2 places in the staff report. Motion carried, all in favor.

OTHER BUSINESS (4:17 pm)

Joel mentioned the attorney hoped to come to the next meeting to speak on the court decision they'd asked about.

Mike Marchetti, chair, adjourned the meeting at 4:18 pm.